IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

INSOLVENCY PETITION NO.117 OF 2005

Re:Nilima Tushar Ruparel. ...Debtor.

Ex-parte:

The Shamrao Vithal Co-op.Bank Ltd...Pt.Creditor.

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Mr.R.V.Vengurlekar for Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

September 19, 2006.

P.C. :

On 19th August 2006, this Court had permitted the withdrawal of the petition. The claim of the Petitioning Creditor is stated to have been duly satisfied. Before the order was signed, the Insolvency Registrar has drawn the attention of the Court to the fact that an advertisement has not been issued in this case before withdrawal was allowed. Accordingly the matter has been placed for directions today. Counsel appearing on behalf of the Petitioning Creditor fairly does not dispute

the fact that an advertisement has to be issued before the withdrawal of the petition. In the circumstances, the order dated 19th August 2006 is recalled. The Insolvency Registrar shall issue a short advertisement. The petition shall be placed on 17th October 2006.

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